

The applicant acknowledges the Examiner's request for a substitute specification as set forth in item 6, page 2 of the Office Action. The applicant intends to comply with this requirement by submitting a substitute specification in proper idiomatic English after allowable subject matter has been identified.

Double Patenting Rejections:

Although the applicant maintains that double patenting is not present between U.S. Patent No. 5, 646,999 and the present application, the applicant intends to file a terminal disclaimer in compliance with 37 C.F.R. 1.321(b) and (c) to overcome the outstanding double patenting rejections as set forth in items 9-12, pages 4 and 5 of the Office Action after allowable subject matter has been identified.

Rejection Under 35 U.S.C. § 103

Claims 95, 97, 99, 101, 103-105, 107, 109-111, 113, 115, 117, 119-121, 123, 125-127, 129, 131, 133, 135-137, 139, 141 and 142 are rejected under 35 USC §102(e) as being anticipated by *Dolphin* (of record), *Fahn et al.* (of record, hereinafter *Fahn*), *Okano* (of record), *Matsumoto et al.* (of record, hereinafter *Matsumoto*), or *Gasser et al.* (of record, hereinafter *Gasser*).

It is respectfully submitted that the applicant's claimed invention as now set forth in independent claims 95, 111 and 127 and all the claims dependent therefrom, includes features and limitations that are neither taught nor suggested by the cited prior art of *Dolphin*, *Fahn*, *Okano*, *Matsumoto*, and *Gasser*, individually or in combination. For instance, the cited prior art does not

disclose or teach performing at least one of the displaying, editing, storing, copying, and transferring steps.

The steps of displaying, editing, storing, copying, and transferring steps are specific conditions recited in the claims and are not merely "optional". It is respectfully submitted that the cited prior art does not disclose or teach such conditions. In particular, the prior art does not disclose teach or suggest the occurrence of at least one of the conditions in the steps as now recited in independent claims 95, 111 and 127.

Additionally, the permit key as now set forth in the applicant's claimed invention includes a crypt key, and comprises at least one of a display permit key, an edit permit key, a storage permit key, a copy permit key, and a transfer permit key. By contrast, *Fahn* does not have any edit permit key, storage emit key, or copy permit key; *Dolphin* and *Okano* fail to show any display permit key, edit permit key, storage permit key, copy permit key, or transfer permit key; and *Matsumoto* and *Gasser* fail to disclose any crypt key for digital data as set forth in claims 95 and 111. In particular, *Matsumoto* and *Gasser* also lack the decrypting step for decrypting the encrypted digital data using the crypt key as recited in, e.g., claim 127.

Claims 99,103, 104, 109, 110, 115, 119, 120, 125, 126, 131, 135, 136, 141 and 142 are rejected under 35 USC §103 as being unpatentable over *Dolphin*, *Fahn*, *Okano*, *Matsumoto* or *Gasser* in view of U.S. copyright law (hereinafter *USCL*).

USCL fails to compensate for the deficiencies in *Dolphin*, *Fahn*, *Okano*, *Matsumoto*, and *Gasser* as discussed above to fully meet the applicant's claimed invention, as now set forth in

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independent claims 95, 111 and 127. Accordingly, claims 99, 103, 104, 109, 110, 115, 119, 120, 125, 126, 131, 135, 136, 141 and 142 are patentable for at least the reasons that independent claims 95, 111 and 127 are distinguished over the cited prior art for the reasons stated above.

Additionally, none of the cited prior art discloses the claimed feature regarding the copyright information, and it is respectfully submitted that the database providing the data protecting program and copyright information are not inherent in the cited prior art. For instance, the copyright information such as the name of the author, which can appear on the copyrighted work itself and display on a screen, is generally not processed by the computer handling data thereof.

Thus, there is no compelling motivation or reason in the cited references for the suggested combination, and even if, arguendo, the teachings of the cited references can be combined in the manner suggested by the Office Action, such combined teachings would still fall far short in fully meeting the applicant's claimed invention, as now set forth in claims 95, 111 and 127 and the claims dependent therefrom.

Accordingly, the withdrawal of the outstanding rejections under 35 USC §§102(e) and 103 is in order, and is therefore respectfully solicited.

If, for any reason, it is believed that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

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